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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

4

Application Number	10/652,141
Filing Date	08/29/2003
First Named Inventor	Hurd
Art Unit	3727
Examiner Name	Tri M. Mai
Attorney Docket Number	HURD-01

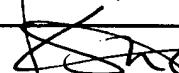
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Schox, PLC		
Signature			
Printed name	Jeffrey Schox		
Date	13 December 2006	Reg. No.	42,445

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PATENT  
Attorney Docket No.: HURD-P01

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3727  
Examiner: Tri M. Mai  
Serial Number: 10/652,141  
Filing Date: 08/29/2003  
First Inventor: Jonathan H. Hurd  
Title: A Cargo System Attachable to a  
Roof Rack

**RESPONSE to  
RESTRICTION dated  
13 November 2006**

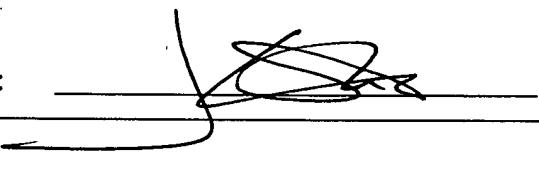
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Date: 13 DEC 2006

By: 

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This is a response to the Office Action mailed 13 November 2006. Please reconsider the above-identified application as follows:

## **PROVISIONAL ELECTION**

The Examiner has required the Applicant to elect a single disclosed species amongst the following three groups:

Group I : the embodiment in FIGS. [sic] 2, and [sic]

Group II : the embodiment in FIG. 4 [sic]

Group II [sic] : the embodiment in FIGS. 7-9.

The Applicant assumes that the Examiner meant to write "Group III: the embodiment in FIGS. 7-9." Based on this assumption, the Applicant hereby elects Group I with traverse. Claims 10-33 are currently pending. The Applicant asserts that independent Claim 10 (with dependent Claims 11 and 13-16) and independent Claim 12 (with dependent Claims 24-32) read on the embodiment of Group I.

## **REQUEST FOR RECONSIDERATION**

The application currently has three independent claims: Claims 10, 12, and 17. Each claim appeared, more or less, in the *original* application. All three claims were rewritten in independent form in the response to the *first* office action. In the *second* office action, these three independent claims were *allowed*. In the *third* office action, the Examiner withdrew the allowances.

The Examiner now effectively requires, in the *fourth* office action, that the Applicant choose either independent Claims 10 and 12 or independent Claim 17. The Applicant asserts that the Examiner has not established why now, after the U.S. Patent and Trademark Office has viewed and examined these same claims *three* previous times, there would be a burden on the Examiner if the restriction is not required. The Applicant respectfully requests reconsideration and withdrawal of the restriction requirement.

Serial No.: 10/652,141  
Attorney Docket No.: HURD-P01

Respectfully submitted,

Date: 13 DEC 2006

By: 

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